

AUS920010836US1
M/S AF**REMARKS**

Claims 62-71 stand rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention.

Claim 71 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Arbel *et al.* (U.S. Patent 5,276,731).

Examiner Interview of November 15, 2005

In the telephone conference of November 15, 2005, Examiner Nguyen recommended that amending independent claims 62, 70, and 71 to include limitations similar to those limitations in claim 1 would overcome the rejections of claims 62-71 under 35 U.S.C. § 112, second paragraph, and would overcome the rejection of claim 71 under 35 U.S.C. § 103(a). In an attempt to move the case forward, Applicants amend claims 62, 70, and 71 to comply with Examiner Nguyen's recommendations.

Applicants have amended claim 62 as follows: 'at least one context based backup party' has been deleted after the phrase 'wherein said context comprises' in the second element of claim 62; 'one or more context based backup parties' has been inserted after the phrase 'wherein said context comprises' in the second element of claim 62; 'said' has been deleted before the word 'caller' in the second element of claim 62; 'a' has been inserted before the word 'caller' in the second element of claim 62; 'and' has been deleted from the end of the second element of claim 62; 'automatically selecting at least one context based backup party from among the one or more context based backup parties according to the context for the call; and' has been inserted before the phrase 'responsive to detecting' as the third element in currently amended claim 62; 'said at least one' has been deleted before the phrase 'context based backup party' in the fourth element of currently amended claim 62; and 'the selected' has been inserted before the phrase 'context based backup party' in the fourth element of currently amended claim 62.

AUS920010836US1
M/S AF

Applicants have amended claim 70 as follows: 'a' has been deleted after the phrase 'automatically forward said call to' in the second element of claim 70; 'one or more' has been inserted after the phrase 'automatically forward said call to' in the second element of claim 70; 'party' has been deleted after the phrase 'context based backup' in the second element of claim 70; 'parties' has been inserted after the phrase 'context based backup' in the second element of claim 70; 'said' has been deleted before the word 'caller' in the second element of claim 70; 'a' has been inserted before the word 'caller' in the second element of claim 70; 'and' has been deleted from the end of the second element of claim 70; 'automatically selecting at least one context based backup party from among the one or more context based backup parties according to the context for the call; and' has been inserted before the phrase 'responsive to detecting' as the third element in currently amended claim 70; 'said' has been deleted before the phrase 'context based backup party' in the fourth element of currently amended claim 70; and 'the selected' has been inserted before the phrase 'context based backup party' in the fourth element of currently amended claim 70.

Applicants have amended claim 71 as follows: 'detecting a context for a call from a caller to an intended callee utilizing a telephony device, wherein said context further comprises one or more backup parties and data elements representing a subject matter of said call, an event of said call, a time period of said call, a location of said call, and a type of device utilized by said caller in said call; identifying at least one backup party from among the one or more backup parties according to the context for the call;' has been inserted before the word 'receiving' as the first and second elements of currently amended claim 71; 'an identification of at least one backup party for an intended callee requested by a caller utilizing a telephony device' has been deleted after the word 'receiving' in the third element of currently amended claim 71; 'in the telephony device the identified backup parties' has been inserted after the word 'receiving' in the third element of currently amended claim 71; 'said identification of said at least one backup party' has been deleted after the phrase 'controlling output of' in the fourth element of currently amended claim 71; 'the identified backup parties' has been inserted after the

AUS920010836US1
M/S AF

phrase 'controlling output of' in the fourth element of currently amended claim 71; 'from the telephony device' has been inserted after the phrase 'and to receiving' in the fifth element of currently amended claim 71; 'said at least one backup party' has been deleted after the phrase 'selection from among' in the fifth element of currently amended claim 71; and 'the identified backup parties' has been inserted after the phrase 'selection from among' in the fifth element of currently amended claim 71.

The claims as amended here are fully enabled in the original specification, and Applicants therefore submit that the present amendments add no new matter to the present application. Applicants appreciate Examiner's acknowledgement that the above amendments overcome all prior art and rejections of record. Applicants respectfully propose that the case is now in condition for allowance and request early consideration and notification of allowance.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

Date: January 19, 2006

By: 

John Biggers
Reg. No. 44,537
Biggers & Ohanian, LLP
P.O. Box 1469
Austin, Texas 78767-1469
Tel. (512) 472-9881
Fax (512) 472-9887
ATTORNEY FOR APPLICANTS